Previous references.
Ch 119-12 1-3
166-10 1-2

1912-13
(Courts)

File No. 199-12
Serial Nos. 1-2

Later references.
CS 141-13(1-4)B.
CS 53-18 RC 142
n 258-4(1-2)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-2

Part B. for March 13

SUBJECT.

Copying Rules for Criminal Courts.

Table of Contents.

1. From the Registrar, Ch. Ct. No. 2610/183 dt 5/6.2.13 forwards a set of draft copying rules framed for the guidance of Subordinate Criminal courts & requests sanction of Govt for the same.
2. To the Regr Ch. Ct. No. J 2822 dt 25.3.13. Approves of the draft rules received with Sl No 1.

H.V. Sorhandtick
8.8.13.

G.R.S. 11] 1912-13

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

File No. 199 of 1912-13

FILE HEADING.

Copying Rules for Criminal Courts.

From

The Registrar, Chief Court

No. 2610/183 Dated 5/6-2-1913 Received 6/8-2-1913

Diary No. J2134	Enclos. 1.	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Forwards a set of draft copying rules framed for the guidance of subordinate criminal courts and requests sanction of Govt. in the same.

NOTES AND ORDERS.

Flag S — Subd with a copy of the rules regarding the grant of copies and the appointment of copyists in Civil courts which were recently approved by Govt. A copy of the Criminal Digest containing Cr. rules of practice Nos. 18 & 21 referred to by the Chief Court is also putup.

Flag Z

Vide paper marked separately

Please put up this file 13/2

KG. 13/2 SN

Ch.

NOTES—First Sheet.

GPB—30,000—12-8-11

(R. S. 12]

General and Revenue Secretariat.

65 File No. 199 of 1912-13

Serial No.

X Linked to this

2. Subd with X 65 119 of 1912-13 as directed on the previous page.

KG.-129
13/XII

3. The revised draft Copying rules relating to Criminal Courts are sent up by the Chief Court, in Consequence of the introduction of the new Copying Sheets. The new Copying rules relating to the Civil Courts have been approved by Govt (vide file below). All the important points in connection with the new System based on the introduction of Copying Sheets have been discussed in Correction when approving the Civil Courts Copying rules. The draft rules now sent up generally follow the lines of the Civil Court rules & hence there is no necessity for any detailed Comment.

Linked 65 119-12

4. Two points only need be mentioned. As in Civil Courts, the new rules seem to do away with the distinction between private Copies & authenticated Copies. Under the draft rules

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

R. S. 12]

General and Revenue Secretariat. | Ch File No. 199 of 1912-

Serial No.

ale the copies must be certified & sealed in accordance with Section 76 of the Evidence Act (Rule 9 Thus)

Flag K

Page 2 of this note in this file linked (65-119-12)

Attention may be invited to the discussion on this point in the file linked below.

Rules flagged K in margin

5- Under draft rule 13, it is stated that the Court is to license as many Copyists as may be required & that none but a licensed Copyist is to be employed in the preparation of Copies. There may be some Courts - of which the Sahibganj 1st Class Magis Court is one - where it will be difficult to get enough work for a full time Copyist. If the remuneration to be obtained by the Copyist will not be enough to attract any one for the post, the copying work will have to be done by the Judicial Peshkar or any other among the regular establishment. I think this may be made clear in the rules by introducing the words "if any is appointed" but after the words 'licensed Copyists'

NOTE—Contn. sheet.

TPB—65,000—17-6-12.

C R. S. 12]

General and Revenue Secretariat.

CS File No. 139 of 1912

Serial No.

6) The rules may be approved

7) Submd / order

Dy Secy) SDR 15/2/13

8) Please put up a draft sanctioning the rules. If there is nothing against licensing an official as Sr. Official Copyist where no other can be had; draft rule 13 may stand unaltered. Dmm 19/2 SDR 18/2

Ch 9) Subd with a draft

Kg.-129 SN 19/2

10) I think no mention need be made in the draft about the point raised above which is only a minor detail. There seems to be no objection to license one of the Officials as Copyist. Rule 13 may therefore remain as it is

Draft order submd / approved SDR 20/2

Dy Secy) 11) These rules may be passed. Draft for approval.

(Sr. Councillor & Secy) Dmm Secy & Ldr 21/2 SDR 21/2

12) Some rules contained in the civil rules are left out. e.g. 5 to 10. Will there be no inconvenience caused by the omission. This shd be considered. Please do so very early

may be brought up for sanction in due course

Hm

NOTE—Contn. sheet.

See S. 546 Cr. P.C. Code 6/3/13

GPB—65,000—17-6-12.

C R. S. 12]

General and Revenue Secretariat.

C5 File No. 189 of 1912-13

Serial No.	
	13) The rules sent up by the Chief Court may be passed. 12/3/13
1857 13.3.13	W 12/3 issue 13/3
	14) Approved by Govr
	W 13/3 issue 20/3
B	15) Issue 20/3
29/3	2 To the Regr, Ch. Ct. No. J 2822 of 25-3-13 approves of the draft rules received with Sl No 1.

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

Urgent

No: 2810 Genl 183

Bangalore.

5th February 1913.

DIARY No. J: 2134

19/2-1913
SECTION Genl
FILE No. 199 of 1912-13
SERIAL No. 1

From

The Registrar of the
Chief Court of Mysore.

To

The Secretary to Government,
General and Revenue Departments.

Sir,

I am directed to forward the enclosed draft copying rules framed for the guidance of subordinate Criminal Courts and to request the early sanction of Government for the same.

These rules embody all the rules contained in Criminal Rules of Practice Nos. 18 and 21 dated 17th December 1879 and 22nd June 1880 respectively with necessary alterations and such of the rules framed for the Civil Courts as are common for both civil and criminal sides.

I have the honour to be,
Sir,
Your most obedient servant,

Registrar.

A.V. 187.

Encl to Ch 199-12-1 2

IN THE CHIEF COURT OF MYSORE

at

B A N G A L O R E.

CRIMINAL SIDE.

Rule of Practice No.

Dated February 1 9 1 3.

Under Section 554 of the Code of Criminal Procedure, and with the previous sanction of Government the Chief Court has framed and issues the following rules regulating the grant of copies and the appointment of copists in Criminal Courts in supersession of the rules contained in Rules of Practice Nos. 18 and 21 dated 17th December 1879 and 22nd June 1880 respectively.

Adapted from Rules 1 and 2 of the Civil Rules.

1. Every application for a copy shall be made to the court in which the record containing the document is and it shall be presented by the applicant in person or by his pleader or by his pleader's registered gumasta to the Head Ministerial Officer or such other officer as the Court may appoint for this purpose, between the hours of 11 A.M. and 5 P.M. Every application shall set forth (a) the name of the applicant and his position (if any) in the case or proceeding; and (b) the description of the document of which a copy is required.

Rule 4 of the Civil Rules.

2. Parties to a case are entitled at any stage of the proceedings to obtain copies of the record of the case including exhibits which have been admitted in evidence.

Adapted from Rules 11 and 12 of the Civil Rules in lieu of Rule 3 of Criminal Rule of Practice No. 18.

3. As soon as an application is admitted it shall be entered in the register of applications for ~~the~~ copies and the applicant shall be informed as soon as practicable of the number of copying sheets required for the copy. He shall also be informed that the preparation of the copy will not be commenced until he has supplied in full the number of copying sheets stated to be required.

Rule 15 of the Civil Rules.

4. All copies other than those which are granted free of cost shall be made on impressed and ruled sheets of the value of 2 annas each. Each sheet contains sixteen lines on which copying is to be done. The exact number of words on each line is immaterial provided that the total on each sheet does not exceed 100 English or 150 vernacular words and that as many two anna sheets are used (and no more) as are necessary to complete the copy at the above rate. Five figures will be regarded as equivalent to one word.

Rule 17 of the Civil Rules in lieu of Rule 2 of Criminal Rule of Practice No. 21.

5. On each copying sheet used four pies represent the payment to the Government on account of the cost of paper, cost of

Printing

printing and the commission to the stamp vendors, &c; the remaining one anna eight pies represent the earnings of the copyist and examiner, the former receiving 1 anna 4 pies and the latter four pies. When the copy is ready, the upper part of each stamp must be torn off each sheet along the perforated line and then signed by the copyists and examiner and kept till the end of the month.

Rule 18 of the Civil Rules.

6. The accounts of the copyists and examiners will be made up monthly, and the amounts due to each will be drawn by the court, on bills in the form prescribed by the Comptroller, giving the following particulars, viz, the names of parties, the name of each copyist and examiner, the number of sheets copied or examined by each and the amounts claimed.

The amounts claimed should be taken from the stamp slips which should be defaced and attached to the bill.

Rule 19 of the Civil Rules.

7. At the close of each day all records and all undelivered copies and unused copying sheets shall be taken back from the copyists and secured for the night by the Head Ministerial Officer in the superior courts and by the judicial Munshi in the Amildar Magistrate's Courts. Unused stamp papers relating to finished copies as well as all finished copies shall be retained by such officer till they are required for delivery to the parties.

parties.

Rule 2 of Criminal Rule of Practice No. 18.

8. No application for copy shall be considered effectual until the court fees, if any, required by law as chargeable on the said copy, have been paid. The copy shall be prepared immediately on the passing, by the court, of the order for grant of copy.

Adapted from Rules 21 and 23 of the Civil Rules.

9. When a copy is ready it shall before delivery be certified and sealed in the manner prescribed by Section 76 of the Evidence Act. Unused copying sheets, if any, should not be retained in the office but should be attached to the copy for the preperation of which they were furnished and should be returned to the applicant together with the copy.

Adapted from Rule 25 of the Civil Rules in lieu of Rule 1 of Criminal Rule of Practice No. 18 and Rule 3 of Criminal Rule of Practice No. 21.

10. Every copy shall bear an endorsement showing the following particulars : -

(1) Copt applied for on the.....
(2) Copying sheets supplied on the....
(3) Copy ready on the.....
(4) Copy delivered on the.....
(5) Copied by.....
(6) Examined by.....

The dates referred to in this rule shall be expressed in figures not in words and all corrections shall be properly attested. When certifying a copy the certifying officer shall satisfy himself that these entries have been correctly made.

Rule 26 of the Civil Rules.

11. In case any applicant shall desire to have his copy sent to him by post the copy can be forwarded by registered packet if the required charges are available, otherwise by post bearing. In every such case 'copy posted' shall be substituted for 'copy delivered' on the endorsement referred to in the above rule and in columns 8 and 9 of the Register of applications for copies the date of despatch will be entered and the signature of the despatching clerk taken.

Adapted from Rule 27 of the Civil Rules in lieu of Rule 4 of Criminal Rule of Practice No. 13 and Rule 4 Criminal Rule of Practice No. 21.

12. The court shall examine the entries made in the Register of copy applications on some fixed day in each month, and shall satisfy itself that such applications for copies are complied with without any undue delay and that the copying work is so distributed as to ensure, as far as possible, an equal income to all the copyists.

Rule 1 of Criminal Rule of Practice No. 21.

13. The court is to license as many copyists as may be required for the purpose of supplying all the applicants with copies without inconvenient delay, and no one but a licensed copyist is to be employed in the preparation of copies.

Rule 5 of Criminal Rule of Practice No. 21.

The duty of examining copies should be entrusted to the Head Clerk or Sheristadar in the superior courts, and to the Munshi in the Amildars' courts, but the

the court may make any other suitable arrangement except that the copyists will not be allowed to examine for each other.

Rule 24 of the Civil Rules.

14. When any copies or unused copying sheets are not claimed within 12 months from the date on which copy was ready for delivery such copies and unused copying sheets shall be destroyed by or in the presence of the Magistrate, a note to that effect being made in the Register of applications for copies.

REGISTER OF APPLICATIONS FOR COPIES.

Serial number	Date of application	Name of applicant	Description of document of which copy is applied for.	Date and number of copying sheets supplied.	Date on which copy was ready	Cost of preparing copy	Date of delivery or despatch to applicant.	Signature of applicant or despatching clerk.	Unexpended balance of Copying Sheets. Number	Date of final disposal. By refund to applicant.	Destroyed
1	2	3	4	5	6	7	8	9	10	11	12

Registrar.

N. G.

1½ 8

G.R.S. 28]

Court File No. 199 of 1912-13

Serial No. 2

Diary No. of letter replied to

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.

( )

, *the* 191 .

READ—

Letter no. 2610/183 dated the 5th Feb'y 13 from the Registrar, Chief Court, forwarding for approval a set of revised copying rules framed for the guidance of subordinate Criminal Courts.

Date of issue 25-3-13

Signed by S. P. Rajagopalachari

Soof

ORDER THEREON. ~~No.~~

Order thereon.—No. 2822

The draft rules received with the Registrar's letter read above

P. T. over.

SUBJECT.

are approved.

2) With regard to Rule 13, it is suggested that in Courts where the services of a separate Copyist are not available on account of the remuneration not being sufficiently attractive, or otherwise, an official in the Court Court may, if there is no objection, be licensed as Ex officio Copyist.

for DHS Secy to Govt.

19.3.13

The Registrar, Chief Court,

~~with reference to his letter no.~~ 2610/183 ~~dated 14 Feb 13.~~

G.P.P.—20,000—2-10-11